

1 CHAIR JAMES: Okay. Let's go through 7, gambling's
2 impact on people and places. 7.1.

3 COMMISSIONER LOESCHER: Madam Chairman, I move 7.1.

4 CHAIR JAMES: Well, let me read it, and then we'll act
5 on it. The Commission recommends to state, local, and tribal
6 governments that when considering the legalization of gambling or
7 the repeal of gambling that is already legal, they should
8 recognize that at the level of specific communities, especially
9 economically depressed communities, casino gambling has
10 demonstrated the ability to generate economic development through
11 the creation of quality jobs.

12 COMMISSIONER BIBLE: I'll second.

13 COMMISSIONER McCARTHY: May I make one --

14 CHAIR JAMES: It has been moved, seconded.

15 COMMISSIONER McCARTHY: To the author, may I make --
16 are you the author of this, Bob?

17 COMMISSIONER LOESCHER: No, but I like it.

18 COMMISSIONER McCARTHY: May I make one very simple
19 suggestion that I think would only strengthen what I understand
20 to be the main objective here? Which is, just to delete the
21 words "at the level of specific communities especially" and just
22 insert the word "in." So that we are saying they should
23 recognize that in economically depressed communities. That is
24 the point we're accenting here.

25 I am not sure what "at the level of specific
26 communities" -- I think we want to say economically depressed
27 communities. If that is the main objective, if I might suggest
28 just deleting those words.

29 COMMISSIONER WILHELM: I would respectfully disagree.
30 It is certainly true that this recommendation, at least as I

1 drafted it, was designed to accentuate that the case is best made
2 in economically depressed communities. But on the other hand, it
3 wasn't designed to be limited only to economically depressed
4 communities.

5 The purpose of the phrase "at the level of specific
6 communities" is to -- it was an attempt, and it may not be
7 artful, but it was an attempt to take into account the point that
8 Richard and others have made, but I particularly recall Richard
9 making this point a number of times, that it is one thing to say
10 that the economic development impact resulting from the creation
11 of quality jobs is beneficial in a particular community, but we
12 don't have data to say whether it's beneficial over a wider area.
13 So that may not be the right way to do that, but that was the
14 goal of the phrase "at the level of specific communities."

15 COMMISSIONER McCARTHY: I guess what I have been trying
16 to avoid, and I do appreciate the explanation, I guess what I
17 have been trying to avoid is decisions to legalize gambling
18 cannot be limited to the host communities, which I think we may
19 collectively agree generally will be beneficiaries on balance.

20 If we do not continue to try to relate to feeder
21 communities which may provide most of the players to the host
22 community in which the casino, tribal or non-tribal, is located,
23 we do not understand how to try to calculate the costs and the
24 benefits of the legalized gambling.

25 I know this has come up a number of times in different
26 chapters when we have pursued this. We have this inclination to
27 look only at the host community. That is only a part of the
28 problem here. So I have raised it a couple of times in
29 discussions today.

30 COMMISSIONER DOBSON: Madam Chairman?

1 CHAIR JAMES: Commissioner Dobson?

2 COMMISSIONER DOBSON: Going back to a point that
3 Commissioner Wilhelm made earlier about our efforts to address
4 both the positive and negative impacts of these recommendations
5 in the areas that they addressed, I am really bothered by 7.1
6 because of its directionality. It does not include the possible
7 negative impacts of gambling.

8 I would like to suggest a substitute recommendation as
9 follows. The Commission recommends that state, local, and tribal
10 governments recognize that destination casino style gambling has
11 demonstrated a greater ability to create jobs than has other
12 forms of gambling, including lotteries, internet gambling, and
13 non-casino electronic gambling devices.

14 COMMISSIONER BIBLE: That sounds like a modification of
15 7.2

16 COMMISSIONER DOBSON: Well, it really is. It is a
17 combination of 1 and 2. It really puts them together.

18 CHAIR JAMES: John, since you are the holder of this
19 motion --

20 COMMISSIONER WILHELM: Well, I didn't make the motion.
21 I did draft the language. We can vote on Jim's suggestion. I
22 don't think it's -- I would not look upon it as a substitute for
23 this one.

24 7.1, in my mind, was an attempt to narrowly make the
25 statement not about net benefits. I have come around to the
26 notion that the only thing our record says about net economic
27 benefits is in depressed communities. Our record at the NRC and
28 others, NORC, others, do support that notion.

29 But I have tried to draw this one not on the basis of
30 net economic benefits, but rather on the notion that economic

1 development through the creation of quality jobs is possible this
2 way. That is not a comment on the net benefits, nor is it a
3 comment on the regional benefits either.

4 COMMISSIONER DOBSON: John, address the last clause
5 there then. Casino gambling has demonstrated the ability to
6 generate economic development through the creation of quality
7 jobs. That's positive. That is the bottom line to that
8 statement.

9 COMMISSIONER WILHELM: No. I think the record is clear
10 that casino gambling has in fact demonstrated the ability to
11 generate economic development through the creation of quality
12 jobs. That is not the same thing as saying, and I have stopped
13 short of saying on purpose because I don't think we have a
14 consensus on this, that the net economic benefits, when you
15 consider all of the positives and all of what Richard calls the
16 externalities, are positive. I don't believe we have a consensus
17 on that, so I haven't tried to say it.

18 COMMISSIONER BIBLE: Well as I would read this
19 statement, what you are in effect saying is some place like
20 Biloxi or some place like Gulfport has had a benefit in terms of
21 economic development through the creation of jobs when they
22 legalize gambling, if I understand the language.

23 COMMISSIONER WILHELM: Yes. Now again, our report will
24 say in many different places that there are all these other costs
25 that need to be considered and I accept that.

26 CHAIR JAMES: Let me ask this. What is before us right
27 now is 7.1. There was an attempt to amend it by taking out "at
28 the level of specific communities especially" and put in "in." I
29 did not hear support for that. So the language stands "at the

1 level of specific communities especially." So that is the motion
2 that is before us.

3 Jim, you have offered your language as an amendment to
4 this.

5 COMMISSIONER DOBSON: Or a substitute.

6 CHAIR JAMES: Or as a substitute. Well, if it's a
7 substitute, we have to vote up or down on the motion that's on
8 the floor.

9 COMMISSIONER LEONE: I am a little confused about
10 what's on the floor.

11 CHAIR JAMES: 7.1.

12 COMMISSIONER LEONE: No, I mean this one is on the
13 floor.

14 CHAIR JAMES: That's correct.

15 COMMISSIONER LEONE: Not an amendment.

16 CHAIR JAMES: Not Jim's at this point.

17 COMMISSIONER LEONE: There was no appetite for they
18 should recognize that especially in economically depressed
19 communities --

20 COMMISSIONER McCARTHY: Actually it never went to a
21 vote. I'm not sure I even made a motion.

22 COMMISSIONER LEONE: That phrase?

23 COMMISSIONER McCARTHY: I was trying to raise it for
24 discussion and see how my friend to my right might view it.

25 COMMISSIONER LEONE: I don't think it changes the
26 meaning, and I think it clarifies.

27 COMMISSIONER WILHELM: I would accept the formulation
28 Richard just made, which was a little bit different from Leo's.
29 If it says they should recognize that especially in economically
30 depressed communities --

1 COMMISSIONER LEONE: Casino gambling has demonstrated.

2 COMMISSIONER WILHELM: I would accept that. You
3 knocked out "especially" too.

4 COMMISSIONER LEONE: No, I didn't.

5 CHAIR JAMES: Yes, you did.

6 COMMISSIONER LEONE: I didn't mean to.

7 CHAIR JAMES: Okay.

8 COMMISSIONER WILHELM: Let's make this Leo's amendment
9 then, and I'll second.

10 CHAIR JAMES: Right now it reads that they should
11 recognize that especially economically depressed --

12 COMMISSIONER WILHELM: Especially in economically
13 depressed communities.

14 CHAIR JAMES: Correct.

15 COMMISSIONER WILHELM: I don't know who made the
16 motion. As the drafter, it is acceptable to me.

17 CHAIR JAMES: Who made the motion?

18 COMMISSIONER BIBLE: We don't need it. The author has
19 accepted the language.

20 CHAIR JAMES: Commissioner Loescher, do you accept that
21 as a friendly amendment?

22 COMMISSIONER LOESCHER: It's a wonderful amendment.

23 COMMISSIONER WILHELM: We're going to have a love feast
24 here pretty soon, Bob.

25 CHAIR JAMES: We are going to do future research
26 tonight too.

27 With that, Dr. Dobson, have you decided whether you
28 want to offer yours as an amendment to this?

29 COMMISSIONER DOBSON: Well, I don't want to waste the
30 time of the Commission. You all heard what I read. If that does

1 not contribute to where we want to go, then I will withdraw it.

2 But I am not sure where we are at this moment.

3 CHAIR JAMES: Where we are right now, let me read the
4 language that we are about to, I think, call for a vote on. "The
5 Commission recommends to state, local, and tribal governments
6 that when considering the legalization of gambling or the repeal
7 of gambling that is already legal, they should recognize that
8 especially in economically depressed communities, casino gambling
9 has demonstrated the ability to generate economic development
10 through the creation of quality jobs."

11 That is how it exists right now.

12 COMMISSIONER LOESCHER: Question.

13 CHAIR JAMES: Okay. All in favor.

14 Opposed? Abstentions?

15 The ayes have it.

16 7.2. The Commission recommends to state, local, and
17 tribal governments that when considering the legalization of
18 gambling or the repeal of gambling that is already legal, they
19 should recognize that lotteries, Internet gambling, and
20 non-casino electronic gambling devices do not create a
21 concentration of good quality jobs and do not generate
22 significant economic development.

23 Is there a motion?

24 COMMISSIONER WILHELM: I move it.

25 CHAIR JAMES: Second?

26 COMMISSIONER LANNI: Second.

27 COMMISSIONER McCARTHY: I'm asking Mr. Wilhelm the
28 question, do electronic gambling devices inside casinos generate
29 a lot of jobs?

1 COMMISSIONER WILHELM: Well yes, in so far as casinos
2 as a whole do, sure, because electronic gambling devices are a
3 critical component of most casinos.

4 COMMISSIONER BIBLE: You're talking about electronic
5 devices that are employed in a convenient setting?

6 COMMISSIONER WILHELM: Yes, by non-casino electronic
7 gambling devices, I was trying to cover the waterfront of
8 convenience gambling and truck stops and all that other kind of
9 stuff that I think the record shows don't create very many jobs,
10 if any.

11 CHAIR JAMES: All right. We have the motion before us.
12 Was there a --

13 COMMISSIONER LANNI: I seconded.

14 CHAIR JAMES: There was a motion and it was seconded.
15 Any further question?

16 COMMISSIONER LANNI: I'll move the question.

17 CHAIR JAMES: Good. All in favor?

18 Any opposed? Any abstentions?

19 COMMISSIONER WILHELM: Madam Chairman, the next one,
20 7.3, somewhere either in my office or the Commission's, a phrase
21 got dropped here. The meaning therefore got altered I think in a
22 way that I don't think we are looking for.

23 I can't remember exactly where I was, but I think this
24 would fix it, if 7.3 says "The Commission recommends to state,
25 local, and tribal governments that," and to be consistent with
26 the structure up above, insert after that, "(when considering the
27 legalization of casino gambling.)" Because I didn't mean this to
28 say that we're recommending that casino development should be
29 targeted. I only meant to say that when people are considering

1 the legalization of casino gambling, then they ought to target it
2 to certain areas.

3 I don't want to put the Commission in a position of
4 recommending casino development.

5 COMMISSIONER LANNI: Can you repeat that, what your
6 insert is?

7 COMMISSIONER WILHELM: Yes. "The Commission recommends
8 to state, local, and tribal governments that, when considering
9 the legalization" - - or I guess it should be "when they are
10 considering the legalization of casino gambling. Casino
11 development should be targeted for locations," et cetera.

12 The goal was to make it clear that we are not
13 recommending that they have casino development. We are just
14 recommending that if they are going to do that, they should
15 consider these factors.

16 COMMISSIONER LANNI: Need a second?

17 CHAIR JAMES: Yes. It does need a second.

18 COMMISSIONER LANNI: I'll second.

19 CHAIR JAMES: It has been moved and seconded.
20 Discussion?

21 COMMISSIONER LANNI: I move the question.

22 CHAIR JAMES: All in favor, Commission 7.3?

23 Opposed? Abstentions?

24 The ayes have it.

25 7.4. The Commission recommends to state, local and
26 tribal governments that studies of gambling's economic impact and
27 studies contemplating the legalization of gambling or the repeal
28 of gambling that is already legal should include an analysis of
29 gambling industry job quality, specifically income, medical
30 benefits, and retirement benefits relative to the quality of

1 other jobs available in comparable industries within the labor
2 market.

3 COMMISSIONER BIBLE: Move.

4 COMMISSIONER MOORE: Second.

5 CHAIR JAMES: It has been moved and seconded.
6 Discussion?

7 COMMISSIONER WILHELM: I move the question.

8 CHAIR JAMES: All in favor?

9 Any opposed? Any abstentions?

10 7.5. "The Commission recommends to state, local, and
11 tribal governments that when planning for gambling related
12 economic development, communities with legal gambling or that are
13 considering the legalization of gambling should recognize that
14 destination resorts create more and better quality jobs." I
15 think that should be "than casinos catering to local clientele."

16 COMMISSIONER MOORE: Move.

17 CHAIR JAMES: It has been moved. Is there a second?

18 COMMISSIONER LOESCHER: Second.

19 CHAIR JAMES: There is a second. Discussion?

20 COMMISSIONER LOESCHER: Madam Chairman, just one
21 question.

22 CHAIR JAMES: Commissioner Loescher?

23 COMMISSIONER LOESCHER: About the word "resorts." You
24 know, some gaming facilities like MGM grew up slowly and grew
25 bigger. It's huge now.

26 COMMISSIONER LANNI: Five thousand rooms is hard to
27 call small and intimate.

28 COMMISSIONER LOESCHER: But what I am trying to say is
29 that what you are saying is destination resorts. Destination
30 facilities, the resorts, the word "resorts" is kind of a broad

1 and encompassing thing that connotes all kinds of development and
2 what not. I think what we are seeing is a sentiment that gaming
3 has its place in America, in certain geographic locations, and
4 that might be a good way to go to support those places that are
5 already developed. But I just wonder about the word "resorts,"
6 whether it's --

7 COMMISSIONER LANNI: I didn't make this motion, but it
8 would seem to me that if you have a resort atmosphere, you have a
9 lot of other amenities, which include more positions.

10 Wasn't this your proposal, John?

11 COMMISSIONER WILHELM: Yes.

12 COMMISSIONER LANNI: And that it's expanding the
13 potential for positions than a facility that would not have all
14 the amenities, for example, restaurants, retail, entertainment
15 venues, which do constitute my understanding of the word
16 "resort."

17 CHAIR JAMES: The working definition that we have been
18 using in the document up until this point is, for the purposes of
19 this document, "destination resorts" can be defined as those
20 tribal or commercial casinos that offer restaurants, retail,
21 recreation, entertainment and/or hotels in addition to a number
22 of variety of gaming opportunities. I don't know if that helps
23 or hurts.

24 Commissioner Leone?

25 COMMISSIONER LEONE: I mean Commissioner Loescher's
26 point is a reasonable one in the sense that from a sort of -- I
27 guess I'll put it -- when Warren Beatty first went to Las Vegas
28 and decided to build a casino, it probably looked like a folly
29 and not a destination resort. So in the nature of the
30 entrepreneurial enterprise, if somebody wants to get started

1 small and eventually create another Las Vegas, it may not look
2 right at the beginning. I understand that is what he's saying.

3 But I think the way this is written, because this is
4 hortatory as a recommendation, we are basically saying that when
5 communities or states or tribes are thinking of moving in the
6 direction of gambling, they should have a vision of -- the
7 preferred vision is of a destination resort which will produce
8 jobs and other economic benefits.

9 So I don't think it -- I think Bob has got a reasonable
10 point here, but I don't think this really steps all over the
11 concept of starting small.

12 CHAIR JAMES: Bob, I don't think that it does either.
13 It just highlights the fact that if you are considering that, you
14 may want to look at the fact that if you throw in --

15 COMMISSIONER LOESCHER: Madam Chairman, I am persuaded
16 by all of the fine points here, so I am going to vote for this.

17 CHAIR JAMES: Well, given that --

18 COMMISSIONER MOORE: Hey, Bob, you got a put in on the
19 best --

20 CHAIR JAMES: Given that, is there a call for the
21 question?

22 COMMISSIONER LOESCHER: Question.

23 CHAIR JAMES: All in favor?

24 Any opposed? Any abstentions?

25 The motion carries.

26 7.6. The Commission recommends to state, local -- I
27 think Terry wrote this one.

28 COMMISSIONER LANNI: I'm writing the amendment.

29 CHAIR JAMES: -- to state, local, and tribal
30 governments that communities with legal gambling or that are

1 considering the legalization of gambling should look to labor
2 unions as a means for protecting job quality.

3 COMMISSIONER McCARTHY: Madam Chair, I drafted this. I
4 would like to withdraw it at this time.

5 (Laughter.)

6 CHAIR JAMES: Is there a motion?

7 COMMISSIONER WILHELM: I'll move it.

8 CHAIR JAMES: Is there a second?

9 COMMISSIONER BIBLE: I'll second.

10 CHAIR JAMES: It has been moved and seconded.

11 COMMISSIONER LANNI: I propose an amendment. It would
12 be following the term "unions," I would insert "and enlightened
13 management" as a means. That is a term that my good friend, John
14 Wilhelm, has used before, "enlightened management."

15 CHAIR JAMES: "And enlightened management?"

16 COMMISSIONER McCARTHY: Do you want to give a
17 particular number?

18 COMMISSIONER LOESCHER: I second the motion.

19 CHAIR JAMES: As long as we're doing this, Jim, do you
20 think we ought to add an amendment that says "and they should all
21 be members of Focus on the Family too?"

22 (Laughter.)

23 COMMISSIONER DOBSON: You make that proposal.

24 CHAIR JAMES: So what we have before us now is "The
25 Commission recommends to state, local, and tribal governments
26 that communities with legal gambling or that are considering the
27 legalization of gambling should look to labor unions and
28 enlightened management as a means for protecting job quality."

29 COMMISSIONER WILHELM: Terry, how about "cooperation
30 between labor unions and enlightened management?"

1 CHAIR JAMES: "Should look to cooperation between labor
2 unions?"

3 COMMISSIONER LANNI: I'm not bothered by that.

4 COMMISSIONER BIBLE: How about "enlightened labor
5 unions and management?"

6 (Laughter.)

7 COMMISSIONER WILHELM: I draw the line at that.

8 CHAIR JAMES: Now we have "cooperation with labor
9 unions and enlightened management."

10 COMMISSIONER LANNI: We can drop "enlightened" I think
11 at that point. Just "labor unions and management."

12 CHAIR JAMES: We want management enlightened here.

13 COMMISSIONER LANNI: We know that's not always
14 possible.

15 CHAIR JAMES: So as I hear it now, "cooperation between
16 labor unions and management as a means for protecting job
17 quality."

18 COMMISSIONER LANNI: Is that acceptable?

19 COMMISSIONER WILHELM: Sure.

20 COMMISSIONER LANNI: Then maybe this is too.

21 CHAIR JAMES: Any further discussion?

22 COMMISSIONER LOESCHER: Question.

23 CHAIR JAMES: A call for the question. All in favor?
24 Opposed? Abstentions?

25 The ayes have it.

26 7.7. "The Commission recommends to state, local, and
27 federal law enforcement agencies that criminal justice
28 authorities at all levels should collect information on crimes
29 committed by problem and pathological gamblers, including type of
30 crime and amount of money involved. Further, bankruptcy

1 information related to gambling should be collected in a
2 standardized manner."

3 Is there a motion?

4 COMMISSIONER LEONE: I just -- on the next several,
5 this and the next several, I just wondered why they -- I
6 understand what they relate to, why they aren't in research.
7 Because particularly the next ones, are kind of repeated.

8 CHAIR JAMES: Would you like to table that until our
9 discussion on future research tomorrow?

10 COMMISSIONER LEONE: There's so much in research I
11 think we would make sense to look at these in the context of what
12 else we are going to recommend.

13 CHAIR JAMES: So that would be 7.7, 7.8?

14 COMMISSIONER LEONE: Just those two.

15 CHAIR JAMES: Just those two? We will consider those
16 in the morning, along with future research.

17 7.9. "The Commission recommends to states with casinos
18 that because the easy availability of ATMs and credit machines on
19 casino floors encourages some gamblers to wager and lose much
20 more than they intended, states should ban ATM and credit
21 machines from casino floors."

22 That was an attempt to capture the consensus language
23 that we had. Is anyone willing to make that motion?

24 COMMISSIONER DOBSON: So moved.

25 CHAIR JAMES: Second?

26 COMMISSIONER MOORE: Second.

27 CHAIR JAMES: It has been moved and seconded.
28 Discussion? We had a lengthy discussion about this one.

29 Commissioner Lanni?

1 COMMISSIONER LANNI: In spite of common belief, when
2 you say that to "wager and lose," actually people do have an
3 opportunity to win. So I am not so sure that that is proper to
4 say. "To wager" I think, "more than they intended." I am not so
5 sure you say "much." I think it's "more."

6 COMMISSIONER LEONE: Yes. "To wager more than they
7 intended."

8 CHAIR JAMES: "To wager more than they intended?"

9 COMMISSIONER LANNI: "Some gamblers" should stay in
10 there, "to wager more than they intended."

11 CHAIR JAMES: It now reads, "The Commission recommends
12 to states with casinos that because the easy availability of ATMs
13 and credit machines on casino floors encourages some gamblers to
14 wager more than they intended, states should ban ATM and credit
15 machines from casino floors."

16 COMMISSIONER McCARTHY: Question, please. Are there
17 any other types of gambling facilities that also have credit
18 machines or ATMs on their premises?

19 COMMISSIONER BIBLE: Sure. Probably every 7-11 where
20 you have a lottery terminal has some kind of a cash withdrawal
21 terminal.

22 CHAIR JAMES: That came up during the discussion, Leo,
23 which was why it was confined to casino floors.

24 COMMISSIONER LANNI: What's a credit machine?

25 COMMISSIONER McCARTHY: This seems limited to casino
26 floors.

27 CHAIR JAMES: It is.

28 COMMISSIONER McCARTHY: Bill has just said that at a
29 number of convenience stops, they also have credit card machines
30 and ATM.

1 COMMISSIONER BIBLE: Yes, so you can make a withdrawal
2 from -- either have it chalked up to your credit card or through
3 an ATM transaction, have a debit taken against your bank account
4 and you can go buy milk or you can go buy groceries or you can go
5 buy lottery tickets.

6 COMMISSIONER MCCARTHY: I am simply trying to expand
7 the application of it to other gambling facilities that also have
8 credit card machines.

9 CHAIR JAMES: I think when we had that discussion, we
10 were not able to get consensus on that point.

11 COMMISSIONER MCCARTHY: I remember the discussion now.
12 Because in that kind of more mixed environment, they could be
13 using the credit card machines to buy other products.

14 CHAIR JAMES: To get money to buy milk.

15 COMMISSIONER MCCARTHY: I see. Okay, thank you.

16 COMMISSIONER LANNI: Question. What is a credit
17 machine?

18 COMMISSIONER LEONE: A parent.

19 (Laughter.)

20 COMMISSIONER LANNI: That's uncollectible. I have
21 never heard the term "credit machine" before. I don't know what
22 they are.

23 CHAIR JAMES: I have no idea. So can we drop "credit
24 machine?" "Should ban ATMs?"

25 COMMISSIONER BIBLE: No. You want to include some kind
26 of a -- an ATM would be, at least in my mind, an ATM is a device
27 that allows you to hit your debit card out of your account. What
28 I think you also want to get is a cash issuing device that
29 creates a charge against your credit card.

1 CHAIR JAMES: So would it be more appropriately a
2 "credit card machine?"

3 COMMISSIONER BIBLE: Probably just a cash dispensing
4 device that's activated by either a debit or a credit card.

5 CHAIR JAMES: Should ban ATM and what was that line?

6 COMMISSIONER BIBLE: A cash dispensing device that is
7 activated by either a debit or a credit card.

8 COMMISSIONER MOORE: Isn't a credit machine just a
9 machine that all it does is give you cash? An ATM you can make a
10 deposit, you can deposit your check, you can do a lot of things,
11 your banking.

12 COMMISSIONER McCARTHY: Didn't we once use the language
13 "credit card machines?"

14 COMMISSIONER LEONE: Well, it's cash advances we're
15 talking about.

16 COMMISSIONER BIBLE: There are situations where devices
17 themselves could be activated and you would never see cash. You
18 would see credits or you would see chips or you would see
19 something of that nature.

20 CHAIR JAMES: The language that Bill recommended which
21 may take care of that is, "states should ban cash dispensing
22 devices activated by debit or credit cards."

23 COMMISSIONER BIBLE: So it should be "cash dispensing
24 and other devices."

25 CHAIR JAMES: "Cash dispensing" --

26 COMMISSIONER BIBLE: "And other devices."

27 CHAIR JAMES: "And other."

28 COMMISSIONER BIBLE: "That are activated by ATM and
29 credit cards."

30 CHAIR JAMES: Devices.

1 COMMISSIONER BIBLE: Well, some of these machines are
2 going to issue you cash. You activate them by either your credit
3 card or your debit cards. Other of these devices may allow you
4 to get credit on say a slot machine, or to get chips at a table
5 or something of that nature. I think you want to talk about the
6 totality of it all. So the language needs to be tightened up.

7 COMMISSIONER LANNI: But there are credits for clubs
8 associated with the slot machines. We're not talking about that.

9 COMMISSIONER BIBLE: No. I'm not talking about that.
10 I mean I think you are just talking about something that goes
11 against your bank account or creates a credit for which you are
12 responsible.

13 CHAIR JAMES: Any thoughts?

14 COMMISSIONER LANNI: Well you've got debit machines.

15 CHAIR JAMES: "Activated by debit or credit cards" is
16 how it reads right now.

17 COMMISSIONER DOBSON: What if you said "ATM type
18 machines." Would that mean anything to anybody?

19 COMMISSIONER McCARTHY: I think Bill's language is
20 about as best as --

21 COMMISSIONER BIBLE: There are so many iterations out
22 there. You'll have machines that are traditional like in a bank.
23 You can put in a debit card and it issues you cash or you can put
24 in a credit card and it issues you, a device. Of course one goes
25 against your account. One creates a credit charge.

26 There are also devices or gaming devices that you
27 potentially could put in either a debit card or a credit card and
28 create credits and never see cash. It just goes against either
29 account. There are hand held devices that you can do the same
30 thing and you'll get issued chips.

1 So it's any kind of a device really within the casino
2 floor that creates a charge against either your debit or your
3 credit card, something of that nature. It needs to be broadened.

4 COMMISSIONER LANNI: Well, how do we deal with the
5 aspect of allowing machines -- it was discussed in a meeting that
6 when you have a need for any kind of a resort, for example, your
7 people don't necessarily travel with that cash. They are going
8 to need it for the retail for the others.

9 When you say the casino floor, how is that defined?

10 CHAIR JAMES: Terry, you may remember during the
11 discussion, I, for one, raised the issue that you only got my
12 vote by putting in "casino floor" because I wanted the ability to
13 go shopping.

14 COMMISSIONER LANNI: I wasn't at that meeting,
15 unfortunately.

16 CHAIR JAMES: Okay, yes. I am with you, Bud.

17 COMMISSIONER LANNI: I just didn't know what the
18 definition of "casino floor" --

19 CHAIR JAMES: Because we talked about that. I think
20 there was some concern that we make it clear that we were only
21 talking about the casino floor, that someone should be able to
22 leave the casino, walk out into the hotel lobby or into the
23 shopping area and use a cash machine.

24 COMMISSIONER MOORE: This is really the gaming floor,
25 wasn't it?

26 CHAIR JAMES: Right.

27 COMMISSIONER MOORE: This would be on the gaming floor?

28 CHAIR JAMES: I don't know if that is a term of art
29 which describes?

1 COMMISSIONER BIBLE: It is not. Casino floor is not a

2 --

3 COMMISSIONER LANNI: No. Oh no, there is no definition
4 for specifically casino floor.

5 COMMISSIONER MOORE: How about gaming floor?

6 COMMISSIONER LANNI: I think it would have to be
7 defined by the individual jurisdictions as to what that is. For
8 us to try to define it would be very difficult.

9 Some, in frankness, you take some smaller properties
10 and it is difficult to distinguish between the casino floor and
11 the front desk registration, because they are right next to each
12 other. I can think of a couple in Las Vegas. I think we have to
13 leave this to the good thought process of the appropriate
14 authorities considering it.

15 COMMISSIONER BIBLE: How about in gambling areas?

16 COMMISSIONER LANNI: Anything we put in, I just think
17 that as long -- I can support this as long as we understand that
18 we are not trying to say that the floor, like this is on one
19 floor. If there was a gambling device 15,000 feet over there,
20 that that would be considered to be --

21 CHAIR JAMES: Oh yes. That was certainly not the
22 intention. Any language that we can come up with that would help
23 clarify that.

24 COMMISSIONER WILHELM: Can I ask a general question
25 about many of these?

26 CHAIR JAMES: You sure can.

27 COMMISSIONER WILHELM: Including this one. Would I be
28 right in assuming that when these things reach their final form,
29 they won't refer only to states? For example, they probably
30 refer to tribal?

1 CHAIR JAMES: Yes. We talked about the fact that we
2 need to come up with consistent language all the way through on
3 that.

4 COMMISSIONER LANNI: And it's not the intent of this
5 Commission to suggest that other forms of gambling that have
6 these machines in place, it's just too impossible to recommend
7 that they not?

8 COMMISSIONER MCCARTHY: Do horse-racing tracks have
9 these machines?

10 CHAIR JAMES: Yes. They do.

11 COMMISSIONER MCCARTHY: There's no logical reason why
12 this shouldn't apply to that circumstance. What about any other
13 form of gambling?

14 I appreciate the argument on convenience stop gambling.

15 CHAIR JAMES: You may remember that we talked about
16 lotteries and the fact that someone could go into an ATM
17 convenience store and spend far more than they should because
18 they have an ATM machine right there.

19 COMMISSIONER DOBSON: It feels like we have been over
20 this ground.

21 CHAIR JAMES: We have indeed.

22 COMMISSIONER LANNI: But what other forms of gaming?
23 So you are suggesting Native American, pari-mutuel, and
24 commercial?

25 COMMISSIONER DOBSON: Yes.

26 CHAIR JAMES: Pari-mutuel and commercial.

27 Who offered this, Dr. Kelly?

28 MR. KELLY: Bob Loescher, I think.

29 COMMISSIONER LOESCHER: No way.

1 COMMISSIONER DOBSON: I can tell you that I made the
2 motion and Bill seconded it. When we talked about not having the
3 machines on the floor, you said that I could support it.

4 COMMISSIONER BIBLE: We won't take a motion to second.
5 You are going back to some meeting ago.

6 COMMISSIONER DOBSON: Yes.

7 COMMISSIONER BIBLE: I indicated then, I supported not
8 having credit card devices or ATM devices on the gaming premises
9 or within the immediate area where gambling is conducted.

10 CHAIR JAMES: Commissioner Moore seconded it at this
11 meeting right now. The reason I ask is because we have had
12 several changes. I need to see if the maker of the motion and
13 the person who seconded it would be open to the suggested
14 language changes, which at this point include Native American,
15 pari-mutuel and commercial.

16 "This Commission recommends to states, and tribal
17 governments with casinos that because of the easy availability of
18 ATMs and credit machines on casino floors encourages some
19 gamblers to wager" -- we took out "and lose much" -- "more than
20 they intended, states should ban" -- and I am not sure where the
21 Native, pari-mutuel and commercial goes.

22 COMMISSIONER DOBSON: Shouldn't that go right after
23 "states" in the next to the last line, and not put it up in the
24 first line? "The Commission recommends that casinos, because of
25 the easy availability" blah, blah, blah, and down at the bottom,
26 "states and tribal governments should ban."

27 CHAIR JAMES: And pari-mutuels.

28 COMMISSIONER DOBSON: And pari-mutuels. Should go down
29 in that line and not twice, as we have now got it.

1 CHAIR JAMES: Right. And there was also a suggestion
2 that we change the language from "should ban ATM and cash
3 dispensing and other devices activated by debit or credit cards."

4 COMMISSIONER LANNI: I think when you bring in pari-
5 mutuel, then you say casinos, that makes it casino floor for
6 pari-mutuel, and have no meaning whatsoever.

7 CHAIR JAMES: Yes.

8 COMMISSIONER LANNI: What if in place of "casino floor"
9 we put "the immediate areas where gambling takes place?"

10 COMMISSIONER BIBLE: Right. I think that does it.

11 CHAIR JAMES: Jim, are you okay with that?

12 COMMISSIONER DOBSON: Yes. That is fine.

13 COMMISSIONER LANNI: And that, frankly, even includes
14 some of the convenience stores in that regard. Some of these are
15 reasonably large. If they have the gambling in one section,
16 maybe they shouldn't have the machine right where that is. It
17 should be in an area far away from that. So maybe we shouldn't
18 include it. Maybe where possible -- they are pretty large
19 though.

20 Think about the grocery stores in Las Vegas, you
21 wouldn't want to have -- which I don't think they should have
22 them there, but it's a separate issue.

23 COMMISSIONER BIBLE: My Wells Fargo Bank in Lucky is
24 right next to the slot machines.

25 COMMISSIONER LANNI: Right. That is what I am saying.
26 You could encourage them -- I think it could be broader, where
27 you can allow convenience stores and others not to have them in
28 the immediate vicinity where the gambling takes place.

1 CHAIR JAMES: I am going to ask Executive Director
2 Kelly if he would read the language as it currently exists, and
3 see if we can go for the question.

4 MR. KELLY: Okay. This is what I have. "The
5 Commission recommends regarding casinos" or "to casinos," I
6 guess, "that because of the easy availability of ATMs and credit
7 machines on casino floors encourages some gamblers to wager more
8 than they intended, states, tribal governments, and pari-mutuel
9 facilities should ban cash dispensing and other devices activated
10 by debit or credit cards from the immediate area where gambling
11 takes place."

12 CHAIR JAMES: I have a problem with "recommending to
13 casinos."

14 COMMISSIONER DOBSON: And my problem is with that
15 convoluted sentence, because we have referred to casinos three
16 times. We don't need to do it all the way through. It could be
17 eliminated from the top.

18 CHAIR JAMES: I think we have the general sense of
19 where the Commission wants to go. Commissioner Kelly, I will ask
20 you to work on the language and bring it -- Director Kelly, that
21 you would work on language and will bring that one back tomorrow
22 for review. Can we pass?

23 Ten. "The Commission recommends to states with casinos
24 that states should require casinos to send" --

25 COMMISSIONER DOBSON: We didn't vote.

26 CHAIR JAMES: We tabled it.

27 "That we would send regular financial statements to
28 their preferred customers, including amounts wagered and lost
29 over specific time periods, much like a credit card statement.
30 States should also require this information to be shared with the

1 state in aggregate form, no identifying information, so that
2 policy makers can gage the extent and average personal cost of
3 gambling over time."

4 Is anyone willing to offer that as a motion?

5 COMMISSIONER DOBSON: I move that we accept this.

6 CHAIR JAMES: Is anyone willing to offer that as a
7 motion?

8 CHAIR JAMES: Is there a second?

9 COMMISSIONER MCCARTHY: I want to read it first.

10 CHAIR JAMES: Okay.

11 COMMISSIONER DOBSON: May I at least explain the
12 background for why this motion was --

13 CHAIR JAMES: While we're waiting for a second,
14 absolutely.

15 COMMISSIONER DOBSON: When we talked about this, we
16 were concerned about the fact that a problem, pathological
17 gamblers have a tendency to under- estimate their losses and to
18 deny what is actually taking place, and especially their spouses
19 frequently do not know that the resources of the family are being
20 squandered, and that families or the people who are involved in
21 this kind of activity should get a statement that really forces
22 them to deal with their own circumstances.

23 CHAIR JAMES: That was the rationale behind that. Is
24 there a second?

25 COMMISSIONER MCCARTHY: For purposes of discussion, I
26 will make a second.

27 CHAIR JAMES: There is a second. It has been moved and
28 seconded. Discussion?

29 We had a great deal of discussion on this one.

30 COMMISSIONER MCCARTHY: When did we have it? When?

1 CHAIR JAMES: When did we discuss this? It was at the
2 April 7th meeting? It was on April 8th.

3 COMMISSIONER LANNI: Seventh and eighth.

4 COMMISSIONER DOBSON: We talked about it at great
5 length. That's what potential consensus means. I think we
6 worked our way through this thing.

7 COMMISSIONER WILHELM: I apologize. My mind is blank,
8 as it often is, on the subject of -- on what we discussed about
9 this.

10 I am a little confused about what numbers it is that
11 would be reported. If I, and I'm handicapped here because I
12 don't gamble other than by waking up in the morning and things
13 like that, but if I sit in front of a slot machine and I stick my
14 player card in there so you can track me, the casino owner, and I
15 play the same five dollars for eight hours, what number is it
16 that is going to be reported? Is it five dollars? Is it \$50,000
17 because I played the same five dollars 10,000 times? What number
18 is it?

19 COMMISSIONER LANNI: It's the \$50,000 in that instance.
20 It's the amount that you have wagered.

21 COMMISSIONER DOBSON: Would it be appropriate to
22 receive both your wins and losses on that report?

23 COMMISSIONER WILHELM: Well, the same thing applies.

24 COMMISSIONER DOBSON: Is it going to say that I bet
25 \$50,000 and I won \$48,000?

26 COMMISSIONER WILHELM: I think that would be
27 interesting information.

28 COMMISSIONER DOBSON: Well, the first question then the
29 family member is going to ask you is where the hell is the 48?

1 I am not trying to be cavalier about this. I really
2 don't know if there is a -- and I don't know enough about how
3 these systems work. I don't know if there is a real number that
4 can be reported.

5 COMMISSIONER WILHELM: How about the net amount.

6 COMMISSIONER LANNI: May I say something about that?
7 The fact of life is that we do not know, for example, on table
8 games, what the person has wagered and what they have actually
9 lost. There are estimates with great human failings which we
10 very frankly proved to Congress when they were considering
11 non-resident alien withholding on the basis that we proved to the
12 Congress of the United States that you could not ascertain
13 specifically what a person has lost.

14 You know what markers they have signed, but people move
15 in a casino from table to table. They play one place. They
16 don't get reported there. They play some place else. We have
17 estimates, but that's all we really have, are estimates. That
18 would be very difficult, actually impossible for us to send
19 statements to table game players as to what they have wagered,
20 because we have no idea when they sit down and put \$500 on the
21 table, and to use John's idea, may have played a total of \$75,000
22 in bets with that, winning a little, losing, what have you, back
23 and forth. It's absolutely meaningless information.

24 I think frankly, we have never proven that the amount a
25 person wages or loses necessarily determines if they have a
26 problem or pathological issues. I think that is still open for
27 future research.

28 With all due respect to the proposer, I think this is
29 inane.

30 COMMISSIONER LOESCHER: Madam Chair?

1 CHAIR JAMES: Commissioner Loescher?

2 COMMISSIONER LOESCHER: I have great difficulty
3 supporting this thing as well, because it is an invasion of
4 privacy and I don't want the state of Alaska to know anything
5 about me if I don't have to tell them, or the state of Nevada or
6 state of New Jersey.

7 The other thing is that you know, we have this zeal to
8 deal with pathological and problem gamblers. I agree that we
9 should deal with that problem and provide for it. But I think
10 this is really over-reaching to try to get to a problem like
11 that. I would be opposed to this idea.

12 COMMISSIONER DOBSON: You notice the words "no
13 identifying information," Bob?

14 COMMISSIONER LOESCHER: Madam Chair, I don't care what
15 people say. Once you start collecting data, you put yourself at
16 risk. With Big Brother, big government, you know, figuring out
17 ways to do things lately with these computers these days, I don't
18 trust them, any of them.

19 COMMISSIONER LANNI: You may have to switch parties, I
20 think, the two of you.

21 (Laughter.)

22 COMMISSIONER WILHELM: You are making an assumption
23 about what party he's in.

24 CHAIR JAMES: I was about to say, I haven't made any
25 presumptions about where Bob may be.

26 What's your pleasure?

27 COMMISSIONER LOESCHER: Question.

28 CHAIR JAMES: A call for the question or you want to
29 continue to work on it a little bit?

1 COMMISSIONER DOBSON: I am just trying to address
2 Terry's concerns about how this would be done. What if we go
3 back to the language that we used earlier in the day, and say
4 "where feasible."

5 COMMISSIONER LANNI: I wouldn't favor that either. I
6 happen to agree. I thought George Orwell was dead, but this is
7 1984 all over again. It is a true invasion of privacy. We don't
8 have the information available. Numbers can be created. I agree
9 with Bob. There is no way to maintain the privacy for
10 individuals.

11 Individuals who request this, and they do request it
12 from time to time, we give them estimates for whatever purposes
13 that they want if they ask for it. But just to send it out to
14 all individuals. First of all, we don't have a record. The
15 other factor is, that's what I think people don't understand that
16 have not worked in one of these facilities. We have many people
17 who come in and they don't identify themselves. If they don't
18 reach the Federal reporting requirement or the Nevada exemption
19 of title 31, we don't have information on those individuals. So
20 how do we send it off to somebody who has walked in off the
21 street?

22 We get 50,000 people a day coming through our single
23 facility in Las Vegas, and on a weekend, 100,000. We may have to
24 raise the Federal income tax maybe to 60 percent to cover this
25 one. I mean we would be staffing up to send things out to people
26 we don't even know that they exist. It's just truly impractical.

27 I support every aspect of dealing with pathological and
28 problem gambling. The other issues we never take into account,
29 that the vast majority of people, based upon our research through
30 NORC and the NRC, have no problem with gambling. There is a

1 significant number, and a small percentage, but a significant
2 number that do. I support every aspect of that. I have been
3 very consistent on that.

4 But when we are getting into invasion of personal
5 privacy, proposing something that is absolutely impractical and
6 impossible for casinos to deal with, I just can't support it.

7 COMMISSIONER DOBSON: Terry, this is a legitimate
8 question. It's not argumentative. Explain to me how the slot
9 club works and the records that are kept with regard to that
10 program.

11 COMMISSIONER LANNI: I suspect they differ from
12 property to property, from company to company. But basically, in
13 the slot area you have a -- if you are a member of the club, and
14 not everyone is, but if you are a member of the club you gain
15 points and points are redeemable for prizes or for cash. We have
16 the amount played. That's the issue. It's not the amount won or
17 lost. We don't maintain that information. The information
18 that's important is the level, amount of money put into the
19 machine. Based upon that, they gain points. It has nothing to
20 do with the win/lost figures. So what we have is amounts played.

21 CHAIR JAMES: Jim, may I suggest that you -- who was
22 the maker of this motion?

23 COMMISSIONER LANNI: It certainly wasn't me.

24 COMMISSIONER DOBSON: I think it was me.

25 CHAIR JAMES: That you may want to work to see if there
26 is any practical way that you can come up with any language. If
27 not, then we just pull it.

28 COMMISSIONER LANNI: I think the question has been
29 called.

30 CHAIR JAMES: Oh. Was the question called on this?

1 COMMISSIONER LANNI: It has been.

2 CHAIR JAMES: It was called. We have to vote since the
3 question was called.

4 All in favor?

5 All opposed?

6 Any abstentions?

7 Two abstentions, okay.

8 7.11.

9 COMMISSIONER DOBSON: Am I to interpret that that last
10 vote, that the ayes had it? Is that correct?

11 (Laughter.)

12 CHAIR JAMES: No. But I don't blame you for trying.

13 "The Commission recommends that casinos be required to
14 place severe restrictions and limitations on all in-house credit
15 extensions in order to deter problem and pathological gamblers
16 who would otherwise use such credit to their own detriment.
17 Amounts lent must be commensurate with applicant's demonstrated
18 ability to absorb such losses."

19 Is there a motion? Hearing none, the recommendation
20 dies.

21 7.12. "The Commission recommends that third party
22 check cashing practices be prohibited at all gambling
23 facilities."

24 Is there a motion? Hearing none, the recommendation
25 dies.

26 "The Commission recommends that ATM machines that grant
27 credit should not be allowed on gambling premises or within 200
28 feet of a gambling floor or device within adjoining facilities."

29 COMMISSIONER LANNI: I think we have addressed this.

30 CHAIR JAMES: I think we have. That one is gone.

1 "The Commission recommends that states should conduct
2 an examination of lost limit policies in gambling establishments,
3 and require implementation based on those findings. Such
4 examinations should be conducted by outside objective entities."

5 Is there a motion? Hearing none, the recommendation
6 dies.

7 "The Commission recommends that federal, state, and
8 local and tribal governments exercise fiscal responsibility in
9 regard to all contracts for treatment services through private
10 and non-profit providers. The Commission recommends that all
11 contracts for treatment service, with the exception of limited
12 experimental pilot efforts, include specific performance
13 measures, including measurable reduction and recidivism rates."

14 Is there a motion? Hearing none, the recommendation
15 dies.

16 7.16. You all want out of this room badly, don't you?

17 "The Commission recommends that for gambling operations
18 that draw customers from other states, those revenues should be
19 allocated to independent entities in those other states
20 commensurate with the percentage of customers, revenues, supplied
21 by those states."

22 COMMISSIONER LOESCHER: Madam Chairman, in January,
23 February, and March, Alaska sends more people to Las Vegas than
24 --

25 (Laughter.)

26 CHAIR JAMES: And you want your fair share. Is there a
27 motion?

28 COMMISSIONER McCARTHY: I don't think we are ready for
29 this one yet, but sometime in the future we may be.

30 CHAIR JAMES: Okay.

1 Hearing none, the recommendation dies.

2 "The Commission recommends that gambling operations
3 should be required to bear the cost created by their existence."

4 Is there a motion? Hearing none, the recommendation
5 dies.

6 COMMISSIONER WILHELM: Does that include Frank's
7 salary?

8 COMMISSIONER BIBLE: That's the next one. Frank's
9 salary is the next one.

10 CHAIR JAMES: That's coming up here.

11 COMMISSIONER WILHELM: I was wondering if that was a
12 cost created by the existence of casinos, Frank.

13 CHAIR JAMES: "The Commission recommends that the
14 American Gaming Association" -- "further the Commission
15 recognizes" -- yada yada yada.

16 Oh well, everybody doesn't have it. I should read it.
17 "The Commission recommends that the American Gaming Association
18 should be commended for its efforts so far to develop and promote
19 voluntary guidelines for casinos on pathological gambling and
20 should be encouraged to continue such efforts. Further, the
21 Commission recognizes that the AGA has acted responsibly in
22 beginning to address the need for casinos to develop policy
23 guidelines on pathological gambling by publishing voluntary
24 responsible gaming guidelines."

25 Is there a motion? Hearing none, the recommendation
26 dies.

27 "The Commission recommends to states with casino
28 gambling that they should adopt workable self and exclusion laws
29 for the benefit of problem and pathological gamblers. Casinos
30 should be required to employ computerized player tracking

1 information for this purpose. Irrevocable election for
2 self-exclusion should be one option."

3 COMMISSIONER DOBSON: This has been dealt with.

4 CHAIR JAMES: I think it has.

5 7.20. "The Commission recommends that surveys of
6 prisoners should be undertaken to determine the prevalence of
7 problem and pathological gambling among prison populations, as
8 well as to determine the number and extent of crimes that have
9 been committed by such individuals for the purpose of obtaining
10 money for gambling."

11 May I suggest we add that to research?

12 COMMISSIONER LANNI: It's in research.

13 CHAIR JAMES: It's there.

14 COMMISSIONER LANNI: Is it there already?

15 CHAIR JAMES: Twenty one. "The Commission recommends
16 to all states with any form of gambling that states should set
17 the mandatory legal age for gambling to 21."

18 COMMISSIONER LANNI: We have done that already.

19 CHAIR JAMES: Been there. Done that.

20 "The Commission recommends that all gambling operations
21 adopt language from the AGA material on the matter of unattended
22 children and minors."

23 Is there a motion?

24 COMMISSIONER LOESCHER: Madam Chairman, I move the
25 motion.

26 CHAIR JAMES: Is there a second?

27 COMMISSIONER McCARTHY: Where is the language?

28 CHAIR JAMES: Well, I think we would have to look at
29 that language and determine. It's in the orange package.

1 COMMISSIONER WILHELM: It is in the material that was
2 given to us today.

3 CHAIR JAMES: Would you like to table that one, look at
4 it tonight and add it in the morning? It is in the orange
5 packet.

6 COMMISSIONER MOORE: I think we should.

7 CHAIR JAMES: "The Commission recommends that students
8 should be warned of the dangers of gambling beginning at the
9 elementary level and continuing through college."

10 COMMISSIONER DOBSON: So moved.

11 CHAIR JAMES: It is moved. Is there a second?

12 COMMISSIONER LANNI: Second.

13 CHAIR JAMES: It has been seconded. Discussion?

14 COMMISSIONER WILHELM: I certainly would support the
15 objective of this, but shouldn't it say something about how this
16 comes about? I mean are we laying this on teachers? Is there
17 some other scheme here to do this? Is someone responsible for
18 it?

19 COMMISSIONER McCARTHY: This kind of virtuous statement
20 is to be applauded, but it doesn't really state or objectives in
21 a way that those reading these recommendations would understand
22 how they are going to be carried out or what we do about it.

23 I would pass on this one, Madam Chair.

24 COMMISSIONER DOBSON: Call for the question.

25 CHAIR JAMES: Do you want to discuss this? You call
26 for the question?

27 COMMISSIONER DOBSON: Yes.

28 CHAIR JAMES: Okay. All in favor?

29 Opposed?

30 Ayes, and one abstention. The ayes have it.

1 Twenty four, I think should be taken up with our
2 research in the morning.

3 COMMISSIONER DOBSON: Okay, Madam Chair, may I ask my
4 question?

5 CHAIR JAMES: Now you may ask your question,
6 Commissioner Dobson.

7 COMMISSIONER DOBSON: I think the Commission, frankly,
8 ought to be congratulated for its work today through this very
9 grueling exercise. I accept the deliberative process that
10 involves wins and losses.

11 But of all the things that happened today, there was
12 one item that I am very, very disappointed about, and it involved
13 the failure to get a second. I don't understand it, because this
14 item is one that if there was a consensus that I sensed for the
15 past year, it has been on this particular item. It involves
16 3.35.

17 CHAIR JAMES: Would you allow Commissioners time to
18 turn to that?

19 COMMISSIONER DOBSON: Yes. More than anything else, I
20 am asking my fellow Commissioners why this one didn't garner
21 support, because I would have thought this one would have had a
22 unanimous vote. I didn't mumble. It's written right there.
23 3.35.

24 "The Commission recommends that states with lotteries
25 reduce their sales dependence on low income." Instead of less
26 educated, Leo has suggested "low income communities, minorities
27 and heavy players in a variety of ways, including limiting
28 advertising and the number of sales outlets in low income areas."

29 We have discussed this repeatedly, and we have had a
30 lot of --

1 COMMISSIONER LANNI: Is this a motion?

2 COMMISSIONER DOBSON: This is a motion, yes.

3 CHAIR JAMES: To reconsider?

4 COMMISSIONER LANNI: Second.

5 CHAIR JAMES: There is a second.

6 COMMISSIONER LANNI: Move the question.

7 CHAIR JAMES: Question. All in favor?

8 All opposed?

9 COMMISSIONER DOBSON: Where were you when I needed you?

10 (Laughter.)

11 COMMISSIONER DOBSON: I have got 14 more.

12 CHAIR JAMES: Let me also commend the Commissioners as
13 well as our audience participants and those who have been
14 following these proceedings at home.

15 I would encourage -- we have one more piece of
16 business. I would ask for your attention while we finish this.

17 COMMISSIONER LEONE: I just want to say that anyone who
18 had been watching this at home all day, there are some addictions
19 that are worse than gambling.

20 COMMISSIONER LANNI: I think anyone who has been
21 watching this all day at home should probably commit themselves
22 to some institution.

23 COMMISSIONER LEONE: Immediately go for treatment.

24 (Laughter.)

25 CHAIR JAMES: We have tabled, and I again would ask
26 your indulgence and your attention for just a few more minutes,
27 because I think this will make our work tomorrow ever so much
28 easier. There were several motions that were tabled today with
29 the intent of Commissioners trying to see if they could work
30 through language or make the decision just to pull it. If we

1 work on these overnight tomorrow, that should go much more
2 quickly.

3 I have asked Commissioner Kelly if he would go through
4 the numbers so that we all -- oh, just Director -- so that he
5 would go through the numbers so that all of us would be sure that
6 we understand which items have been tabled, and who has taken on
7 the responsibility to work on those overnight.

8 John?

9 COMMISSIONER WILHELM: Just two procedural questions.
10 One, when I read through the various research recommendations, I
11 was struck by the fact that in that section, as much or more as
12 in any other section, there is a great deal of overlap and so
13 forth. I wondered, and it may not be feasible in terms of time,
14 but I wondered if either staff or Commissioners that have some
15 familiarity in that area might be able to help us somewhat, order
16 in the conversation as opposed to going over the same things in
17 17 different ways. I don't know if that's feasible, but if there
18 is some way to do that, it would be great.

19 Then the only other procedural question I had is this.
20 I noted that during the day today impressively someone on the
21 staff came up with the revised version of what we have been
22 dubbing the "McCarthy" package, which is very helpful. I
23 wondered to what extent either tomorrow or in the very near
24 future, we will be able to come up with the recommendations that
25 we have adopted in the form in which we have adopted them?

26 CHAIR JAMES: Absolutely. That is going to be the
27 first priority of the staff immediately at the close of the
28 meeting tomorrow. That document should be out and in
29 Commissioners' hands within 48 hours.

1 COMMISSIONER WILHELM: Great. That's wonderful. Thank
2 you.

3 CHAIR JAMES: Having said that, Commissioner --

4 MR. KELLY: Director Kelly.

5 CHAIR JAMES: Tim.

6 MR. KELLY: Just FYI, you might be interested to know
7 that you covered 119 recommendations today. Thirty six of those
8 were passed. Sixty two were dropped. Twenty-one were tabled.

9 Let me just review those that were tabled with the idea
10 that a Commissioner would address them. First off this is 3.6,
11 Commissioner Bible. I am just going to review the ones that
12 Commissioners were assigned to unless you want me to go through
13 them all.

14 CHAIR JAMES: You have got to go through them all.

15 MR. KELLY: All right. We start with 3.3. 3.3 was
16 tabled. It was stated that that will come up later. This dealt
17 with states policies towards their lotteries.

18 CHAIR JAMES: Just the numbers.

19 MR. KELLY: 3.6, Commissioner Bible. 3.8 will be
20 revisited. 3.10 to be coupled with 3.50, which will be addressed
21 by Dr. Dobson. 3.11 is Dr. Dobson. 3.12, Commissioner Lanni and
22 Commissioner Wilhelm. 3.15, Commissioner McCarthy and Dobson.
23 3.28, Commissioner Leone. 3.29, Commissioner Dobson. 3.47,
24 Commissioner Leone. 3.50, Commissioner Dobson.

25 4.1 and 4.2 deferred to the research section. 4.15,
26 Commissioner Bible. 4.19, Commissioner McCarthy. That's
27 actually completed.

28 5.4, Commissioner Bible. 6.20, Commissioner James,
29 Chairman James. 6.21, staff. 7.7 and 7.8, tabled until the

1 research discussion. 7.9, myself, I will be working on that.

2 Then lastly, 7.22, tabled until tomorrow.

3 COMMISSIONER LEONE: Just one question, Tim. I thought
4 3.44 was something I was supposed to - -

5 MR. KELLY: I might have misspoke.

6 COMMISSIONER LEONE: Okay. Folded into 3.3.

7 CHAIR JAMES: Are there any other questions about this?

8 COMMISSIONER DOBSON: 3.28, Tim?

9 MR. KELLY: Hang on just one second. It could be that
10 I left one out. 7.24 as well?

11 CHAIR JAMES: 7.8?

12 MR. KELLY: No. 7.24 was dropped, not taken. So I
13 think this is a comprehensive list. That's it.

14 CHAIR JAMES: That's it. With that, the Commission
15 will stand in recess until tomorrow morning at -- what time do we
16 get started in the morning, Director Kelly? Is it 8:30 or 9:00?

17 MR. KELLY: 8:30.

18 CHAIR JAMES: 8:30.

19 (Whereupon, the foregoing matter went
20 briefly off the record at 6:47 p.m.)

21 COMMISSIONER McCARTHY: Since we are going to take up
22 in the morning is the research, I think close to the first thing,
23 is the research section, Doug Seay has some language he wanted to
24 hand each member of the Commission which makes a modest and not a
25 substantive change in three of the -- pardon me, four of the
26 federal research recommendations that I authored. If he could
27 give them to you now before you leave, you will have the
28 opportunity to look at them tonight.

1 CHAIR JAMES: I would just ask Commissioners to make
2 sure they get that from Doug Seay before leaving. I think he is
3 making copies right now.

4 With that, we will convene until 8:30 tomorrow morning.